

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION**

**FILED**

Samuel L. Kay, Clerk  
United States Bankruptcy Court  
Brunswick, Georgia  
By cking at 4:17 pm, Mar 16, 2011

IN THE MATTER OF: )  
 )  
YELLOW BLUFF DEVELOPMENT, LLC ) CHAPTER 11 CASE NO. 09-40019-JSD  
 )  
Debtor )  
 )

**ORDER CONFIRMING SALE**

This matter came before the Court on the 16<sup>th</sup> day of March, 2011, upon the application of **YELLOW BLUFF DEVELOPMENT, LLC**, debtor and debtor in possession (Applicant), for leave to sell certain real property of this estate.

The Court has considered the matter and the objection to the proposed sale filed by W&D Investments, Inc. ("W&D"), having been withdrawn and good cause appearing why the sale as proposed should be approved, it is

**ORDERED** that the application be and the same is hereby approved. Applicant may proceed to sell the real property (*commonly known as 79 Ashley Creek Drive, Midway, Georgia*), and described as:

**All that certain lot, tract or parcel of land situate, lying and being in the 1359<sup>th</sup> G.M. District of Liberty County, Georgia, being known and designated as Lot No. 86 Yellow Bluff Subdivision, containing 0.20 of an acre, more or less, as shown and represented on that certain plat of survey made and prepared by Joe P. Davis, Georgia Registered Land Surveyor No. 1436, bearing a survey date and plat date of January 13, 2011, and being recorded in Plat Section P-13, Page 1A, in the office of the Clerk of Superior Court of Liberty County, Georgia, said plat by specific reference is made a part hereof for descriptive and all other purposes. Said lot of land being bounded, now or formerly, as follows: Northerly by 60' R/W of Ashley Creek Drive; Easterly and Southerly by lands n/f Yellow Bluff Development; and Westerly by lands n/f Frank A. Hill & Georgia B. Hill, all as shown on the above referred to plat of survey.**

to **Mike E. Howard and Natalie P. Howard**, for the sum of \$500,000.00, cash<sup>1</sup>. Such sale shall

---

<sup>1</sup>\$250,000.00 of the \$500,000.00 purchase price was paid to Yellow Bluff Development, LLC by purchasers on February 13, 2008, leaving a balance due at closing of \$250,000.00.

be free and clear of liens with all valid liens attaching to the proceeds.

**IT IS FURTHER ORDERED** that at closing, W&D shall be paid an impact fee of \$1,500.00 as provided for in that certain contract between Applicant and W&D, dated October 18, 2006, pursuant to which W&D provides water and sewage treatment to the subject real property.

**IT IS FURTHER ORDERED** that all ad valorem taxes due Liberty County Tax Commissioner, if any, shall be paid in full at closing.

DONE and ORDERED this 16<sup>th</sup> day of March, 2011.

  
\_\_\_\_\_  
JOHN S. DALIS  
UNITED STATES BANKRUPTCY JUDGE  
SOUTHERN DISTRICT OF GEORGIA

Prepared by:  
JAMES L. DRAKE, JR.  
ATTORNEY AT LAW  
P. O. BOX 9945  
SAVANNAH, GA 31412  
(912) 790-1533